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Daniel P. Burke, Esq. on

(Docket: 129-3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Frank A. Ferrara and Robert J. Murphy
SERIAL NO. : not yet assigned
FILED : simultaneously herewith
FOR : MOVING CART ASSEMBLY

DECLARATION AND POWER OF ATTORNEY

As below named inventors, we hereby declare that:
our residence, post office address and citizenship are as stated below next to my name.

We are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MOVING CART ASSEMBLY which is being filed herewith.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the

092993-05101

application(s) on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>	
			<input type="checkbox"/>	<input type="checkbox"/>
<u> </u>	<u> </u>	<u> </u>	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)		

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

We hereby appoint Daniel P. Burke, Esq., Reg. No. 30,735, Thomas M. Galgano, Reg. No. 27,638, of Galgano & Burke, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all written communications and telephone calls to:

Daniel P. Burke, Esq.
Galgano & Burke
300 Rabro Drive - Suite 135
Hauppauge, New York 11788
(516) 582-6161

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

TOP SECRET

statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

CITIZENSHIP: (U.S.A).

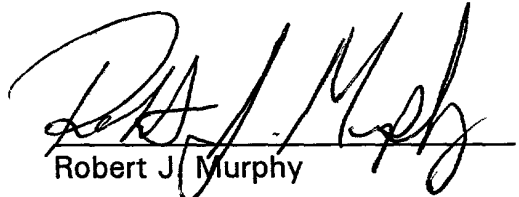

Frank A. Ferraro

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Date: 6/8/01

CITIZENSHIP: (U.S.A).


Robert J. Murphy

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Date: 6/8/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NO.: 129-3

APPLICANT OR PATENTEE : Frank Ferraro
SERIAL or PATENT NO. : Not Yet Assigned
FILED or ISSUED : Herewith
TITLE : MOVING CART ASSEMBLY

SMALL ENTITY DECLARATION

☒ [X] FOR INDEPENDENT INVENTOR(S)

As a below-named inventor, I hereby declare that I am an independent inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law, to assign, grant, convey, or license, any rights in the invention, to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization, as defined in 37 CFR 1.9.

☐ [] FOR SMALL BUSINESS CONCERN

I hereby declare that _____ is a business concern which qualifies as a small business concern as defined in §1.9(d) - namely, (1) whose number of employees, including those of its affiliates, does not exceed 500 persons; and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section; and that the exclusive rights to the invention have been conveyed to and remain with the above-identified small business concern.

I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the patent application or any patent issuing thereon.

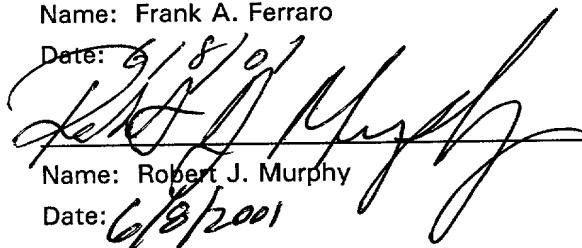
Each of the undersigned hereby grants the firm of **GALGANO & BURKE**, 300 Rabro Drive, Hauppauge, New York 11788, U.S.A., the power to insert in this Small Entity Declaration any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for filing and acceptance of this Declaration.

INVENTOR(S)



Name: Frank A. Ferraro

Date: 6/8/01



Name: Robert J. Murphy

Date: 6/8/2001

SMALL BUSINESS CONCERN:

By _____

Name : _____

Title: _____

Date : _____